UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENN	
THE ABI JAOUDI AND AZAR TRADING CORP.,	: :
Plaintiff,	: Civil Action No. 91-6785
-against-	: :
CIGNA WORLDWIDE INSURANCE CO.,	: :
Defendant.	: :
	X

## **DECLARATION OF DONALD W. HAWTHORNE**

DONALD W. HAWTHORNE, ESQUIRE, hereby declares as follows:

- 1. I am a member of the Bar of the State of New York and admitted to this Court *pro hac vice*. I am a partner in the firm of Axinn, Veltrop & Harkrider LLP, counsel for Defendant Cigna Worldwide Insurance Company ("CWW") in this action. I submit this Declaration in support of Defendant Cigna Worldwide Insurance Co.'s Memorandum in Reply to Martin Kenney's, Joseph Lilly's, the Echemus Entities' and James Little's Memoranda in Opposition to Cigna Worldwide Insurance Co.'s Motion to Compel Production of Documents from James Little and Joseph Lilly.
- 2. Attached hereto as Exhibit A is an index of selected entries from the two privilege logs produced by Martin Kenney on February 15, 2013 and the one privilege log produced by Joseph Lilly on February 8, 2013, with an additional column added by CWW, listing CWW's objections to the Kenney and Lilly's bases for withholding the documents listed on the logs.
- 3. Attached hereto as Exhibit B is a copy of the decision issued in *Angiodynamics*, *Inc. v. Biolitec AG*, No. 09-cv-30181-MAP, D.I. 205 (D. Mass. Apr. 11, 2013).

4.

I declare under penalty of perjury that the forgoing is true and correct.

Executed at New York, New York this 22nd day of April, 2013.

/s/ Donald W. Hawthorne

DONALD W. HAWTHORNE